

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
BRANDON CRUZ, by his parents and natural  
guardians Zulma Rivera and Carlos Cruz,

Plaintiff,

AFFIDAVIT OF SERVICE  
07-CV-6545 (DAB)(THK)

- against -

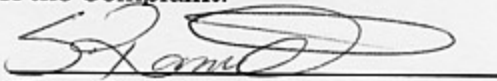
THE CITY OF NEW YORK, "JOHN" MAYE, the  
first name being unknown, and "JOHN DOE,"  
the name being fictitious and presently  
unknown, being detectives employed by the  
City of New York Police Department

Defendants.  
-----X

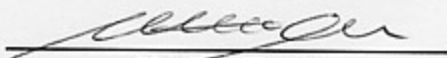
STATE OF NEW YORK        )  
                                  : SS. :  
COUNTY OF KINGS        )

SHERRY RAMDATH, being duly sworn deposes and says:

That on July 26, 2007, I served the SUMMONS AND COMPLAINT upon  
Michael Cardozo, Assistant Corporation Counsel and attorney for defendant City of  
New York, at 100 Church Street, New York, New York, that being the address  
within the State theretofore designated for that purpose, by personally delivering a  
copy thereto as evidenced by the date/time stamp appearing on the annexed copy  
of the Summons and the first page of the Complaint.

  
Sherry Ramdath

Sworn to before me this  
27<sup>th</sup> day of July, 2007

  
Matthew Flamm  
Notary Public State of New York  
Registration No. 02FL4994806  
Qualified in Kings County  
Commission Expires 6/9/2010

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

JUDGE BATTS

BRANDON CRUZ, by his parents and natural  
guardians Zulma Rivera and Carlos Cruz,

Plaintiff,

- against -

THE CITY OF NEW YORK, "JOHN" MAYE,  
the first name being unknown, and "JOHN  
DOE," the name being fictitious and presently  
unknown, being detectives employed by the City  
of New York Police Department

Defendants.

To: THE CITY OF NEW YORK, 100 Church Street, New York, NY 10007; "John"  
Maye and "John Doe"

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S  
ATTORNEYS

MATTHEW FLAMM, 26 Court Street, Suite 600, Brooklyn, New York 11242

an answer to the complaint which is herewith served upon you, within \_\_\_\_ days after service  
of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by  
default will be taken against you for the relief demanded in the complaint. You must also  
file your answer with the Clerk of this Court within a reasonable period of time after  
service.

J. MICHAEL McMAHON

CLERK

DEPUTY CLERK

JUL 20 2007

DATE

*Marcos Quintero*  
DEPUTY CLERK

07 CIV 6545  
SUMMONS  
IN A CIVIL CASE

CITY OF N.Y. LAW DEPT.  
OFFICE OF COMM. COUNSEL  
COMMUNICATIONS  
JUL 26 PM 3 18



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BRANDON CRUZ, by his parents and natural  
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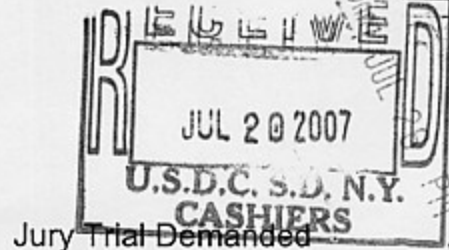
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JUDGE BATTS

07 CIV 6545

COMPLAINT



Jury Trial Demanded

BRANDON CRUZ, by his parents and natural guardians Zulma Rivera and  
Carlos Cruz, by Matthew Flamm, Esq., alleges the following upon information and  
belief as his Complaint:

Nature of the Action

1. This civil rights action arises from the November 3, 2006 unlawful  
arrest and abuse of Brandon Cruz. Mr. Cruz was fifteen years of age and  
returning home from school when the two individual defendants enlisted him  
against his will as a decoy in a dangerous law enforcement operation. Plaintiff  
seeks declaratory relief pursuant to 28 U.S.C. §2201 as well as compensatory and  
punitive damages for violation of his civil rights under 42 U.S.C. §1983.

Jurisdiction and Venue

2. This action arises under the United States Constitution and 42  
U.S.C. §1983. This Court has subject matter jurisdiction pursuant to 28 U.S.C.  
§1331 and §1343(3). Plaintiff asserts jurisdiction over the City of New York under  
28 U.S.C. §1367. Plaintiff requests that this Court exercise pendent jurisdiction  
over those state law claims arising out of the same common nucleus of operative  
facts as do plaintiff's federal claims.